

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

JEFFREY R. NEWTON,)	
)	
Plaintiff,)	
)	
v.)	Case No. CV414-246
)	
CORIZON HEALTH SERVICES,)	
INC., CHATHAM COUNTY JAIL,)	
JOHN DOE I, JOHN DOE II, and)	
Col. GILBERT,)	
)	
Defendants.)	

ORDER

Jeffrey R. Newton, who has paid the Court's \$400 filing fee, contends in his *pro se* 42 U.S.C. § 1983 complaint that while he was detained in the Chatham County Detention Center, defendants provided him with substandard medical care which ultimately left him without the use of a finger. (Doc. 1 at 5.) Presently before the Court is Newton's "motion to perfect service" upon defendants. (Doc. 5.)

Because he is not proceeding *in forma pauperis* ("IFP"), the Court is authorized, but not required, to order that service be made by the Marshal. Fed. R. Civ. P. 4(c)(3). In the past, the Court has authorized

service by Marshal when a plaintiff is incarcerated or when defendants have attempted to evade service. It has also required non-IFP plaintiffs to bear the Marshal's costs, which are not insubstantial. Here, Newton is a free man,¹ the defendants are not difficult to serve, and it would likely be far less expensive for Newton to serve them himself.² The Court thus declines to order service by Marshal.

Newton is advised that he should serve defendants in compliance with Rule 4 of the Federal Rules of Civil Procedure. His failure to serve defendants within 120 days of the filing his complaint may result in the dismissal of his claims against any unserved defendants. Fed. R. Civ. P. 4(m).

SO ORDERED this 18th day of March, 2015.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA

¹ Newton was released in December 2014.

² He may obtain Rule 4(d) waiver of service forms from the Clerk if he wishes to attempt service by mail. If he prefers he may personally serve the defendants by having any person who is at least 18 years old and *not a party* to the case (thus Newton may not personally serve the defendants himself) deliver a summons (obtainable from the Clerk) and a copy of the complaint upon defendants.